

REMARKS

Claims 1-9 are all the claims pending in the application.

Claim 9 is rejected under 35 U.S.C. 102(e) as being clearly anticipated by Cohen et al. (U.S. Publication No. 2002/0019715 or U.S. Patent No. 6,622,099) or Krah et al. (U.S. Publication No. 2002/0022903).

Claims 1-8 are allowed.

The Applicants traverse the rejections and request reconsideration.

Amendment to the Specification

The Applicants respectfully amend the Specification to further clarify the subject matter. No new matter is added.

Claim Rejections Under 35 U.S.C. § 102

Rejection of Claim 9 based on Cohen et al. or Krah et al.

Cohen and Krah, though having different inventors, are based on a similar disclosure. Therefore, the arguments related to Cohen provided herein equally applies to the rejections based on Krah.

Notably, the present invention, as recited in claim 9, requires **generating a command by an external operation of an operator and a sequence of tuning build in the device**. For example, in relation to the exemplary fourth embodiment discussed on page 28 of the present Specification, a command is generated by an external operator. Such a command is based on a sequence of tuning built in the device. The gain is increase/decreased based on the information obtained at this time. In other words, the increase/decrease of the gain is obtained in real time.

More specifically, as discussed on page 27, a man pulls out an operator 61 to perform adjustment. Such an adjustment operation is carried out according to a sequence discussed in Fig. 13.

The Examiner points out to the user interface 110 of Cohen and contends that such a user interface teaches that a command is generated by an external operation of an operator and a sequence of tuning built in the device as required by the present invention. However, Cohen is generally related to auto-tuning. There is no disclosure related to any operation by an external operator. A mere presence of a user interface does not explicitly teach that an external operation is performed by an operator to generate a command.

The operator 61 is used by a man to perform the adjustment operation. (Please refer to page 27, line 11 (as amended) and page 28, lines 3 to 11 of the present specification).

On the contrary, "COMMAND GENERATOR 10" of Cohen (U.S. Patent No. 6,622,099) issues commands for the control of the motor and load, and does not perform the adjustment operation. This is further clear based on the description of column 3, lines 37 to 39 of Cohen.

Further "AUTO-TUNE CONTROLLER 100" of Cohen performs an auto-tuning of the control system. This is clear based on the description of column 3, lines 52 to 57 of Cohen.

Further "USER INTERFACE 110" of Cohen is an interface for communication with a user to display the test results in a display, or to connect to a personal computer to download/upload data and software, and is not used for a man to perform the adjustment operation. This is clear based on the description of column 3, lines 66 to column 4, line 4 of Cohen).

Thus, the operator 61 of the present invention is completely different from COMMAND GENERATOR 10, AUTO-TUNE CONTROLLER 100 and USER INTERFACE 110 of Cohen.

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131 *citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Cohen or Krah do not anticipate (or suggest) the present invention (as recited in claim 9) at least because they do not disclose generating a command by an external operation of an operator as in the present invention (as recited in claim 9).

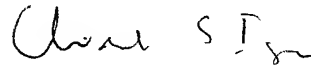
Allowable Subject Matter

Based on the arguments presented, claims 1-8 have been found to be allowable.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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